

DISPOSITION: July 19, 1951. The Orleans Poultry Co., Owensboro, Ky., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that the fit portion be segregated from the unfit, under the supervision of the Food and Drug Administration. 220 30-pound cans of eggs were found to be fit for human consumption, and the remaining cans were denatured.

FEEDS AND GRAINS

17770. Adulteration and misbranding of dairy feed. U. S. v. Oliver T. Kittrell (Kittrell Grain & Feed Co.). Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 31117. Sample No. 156-L.)

INFORMATION FILED: July 31, 1951, Middle District of Tennessee, against Oliver T. Kittrell, trading as the Kittrell Grain & Feed Co., Nashville, Tenn.

ALLEGED SHIPMENT: On or about February 6, 1951, from the State of Tennessee into the State of Kentucky.

LABEL, IN PART: "Surety Brand 16% Dairy Feed * * * Guaranteed Analysis Protein, not less than 16.00 Per Cent * * * Fiber, not more than 15.00 Per Cent."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 16 percent of protein and more than 15 percent of crude fiber had been substituted for dairy feed containing not less than 16 percent of protein and not more than 15 percent of crude fiber.

Misbranding, Section 403 (a), the label statements "16% Dairy Feed * * * Guaranteed Analysis Protein, not less than 16.00 Per Cent" and "Fiber, not more than 15.00 Per Cent" were false and misleading.

DISPOSITION: October 18, 1951. A plea of nolo contendere having been entered, the defendant was fined \$1,000.

17771. Misbranding of cottonseed meal and cottonseed pellets. U. S. v. Marianna Sales Co. Plea of guilty. Fine of \$300 and costs. (F. D. C. No. 30611. Sample Nos. 89687-K, 89689-K.)

INFORMATION FILED: September 21, 1951, Eastern District of Illinois, against the Marianna Sales Co., Cairo, Ill.

ALLEGED SHIPMENT: On or about November 15 and 21, 1950, from the State of Illinois into the State of Kansas.

LABEL, IN PART: (1 shipment) "White Mule Brand * * * Cottonseed Meal * * * 100 Lbs. Net." One shipment was unlabeled.

NATURE OF CHARGE: Cottonseed meal. Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the bags contained less than the labeled 100 pounds net.

Cottonseed pellets. Misbranding, Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (1), the label of the product failed to bear the common or usual name of the food, cottonseed pellets.

DISPOSITION: October 8, 1951. A plea of guilty having been entered, the defendant was fined \$300, together with costs.